

14230

01504

PTO/SB/05 (05

Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		<i>Attorney Docket No.</i>	ATH-0116
		<i>First Inventor</i>	Craig H. Barratt
		<i>Title</i>	"APPARATUS AND METHOD FOR TRANSMISSION COLLISION . . ."
		<i>Express Mail Label No.</i>	EV 302 354 097 US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original, and a duplicate for fee processing)*
2.  Applicant Claims small entity status.  
See 37 C.F.R. § 1.27.
3.  Specification *[Total Pages 16]*
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed-Sponsored R&D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (*if filed*)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. § 113) *[Total Sheets 6]*
  - Informal     Formal
5.  Oath or Declaration *[Total Pages 2]*
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 C.F.R. § 1.76

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 C.F.R. § 1.76:

Continuation     Divisional     Continuation-in-part (CIP) of prior application No. \_\_\_\_/

Prior application information: Examiner \_\_\_\_\_

Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

Customer Number or Bar Code Label      0 2 2 8 8 8      or  Correspondence address below

<i>NAME</i>					
<i>ADDRESS</i>					
<i>CITY</i>	<i>STATE</i>				<i>ZIP CODE</i>
<i>Country</i>	<i>Phone</i>	+1 (408) 451-5907			<i>FAX</i>

<i>Name (Print/Type)</i>	Jeanette S. Harms	<i>Registration No. (Attorney/Agent)</i>	35,537
<i>Signature</i>			<i>Date</i>

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

22581 U.S.P.T.O.  
10/760024

011504

# FEE TRANSMITTAL for FY 2004

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 C.F.R. § 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 985.00)

Complete if Known	
Application Number	Filed Herewith
Filing Date	January 15, 2004
First Named Inventor	Craig H. Barratt
Examiner Name	unknown
Art Unit	unknown
Attorney Docket Number	ATH-0116

**METHOD OF PAYMENT** (check one)

1.  The Director is authorized to charge indicated fees and credit any over payments to:

Deposit Acct. No. **50-0574 (Docket No. ATH-0116)**Deposit Acct Name **Bever, Hoffman & Harms, LLP** Charge Any Additional Fee Required Under 37 CFR § 1.16 & 1.17

2.  Payment Enclosed:

 Check     Credit Card     Money Order     Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1001	770	2001	385 Utility filing fee
1002	340	2002	170 Design filing fee
1003	530	2003	265 Plant filing fee
1004	770	2004	385 Reissue filing fee
1005	160	2005	80 Provisional filing fee
<b>SUBTOTAL (1)</b>			<b>385.00</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	47	-20** = 27 x 9.00	= 243.00
Independent Claims	7	-3** = 4 x 43.00	= 172.00
Multiple Dependent		145.00	= 145.00

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity		Small Entity	
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1202	18	2202	9 Claims in excess of 20
1201	86	2201	43 Independent claims in excess of 3
1203	290	2203	145 Multiple dependent claim, if not paid
1204	86	2204	43 **Reissue independent claims over original patent
1205	18	2205	9 **Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>			<b>(\$ 560.00)</b>

**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65 Surcharge - late filing fee or oath
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130 Non-English specification
1812	2,520	1812	2,520 For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action
1251	110	2251	55 Extension for reply within first month
1252	420	2252	210 Extension for reply within second month
1253	950	2253	475 Extension for reply within third month
1254	1480	2254	740 Extension for reply within fourth month
1255	2,010	2255	1,005 Extension for reply within fifth month
1401	330	2401	165 Notice of Appeal
1402	330	2402	165 Filing a brief in support of an appeal
1403	290	2403	145 Request for oral hearing
1451	1,510	1451	1,510 Petition to institute a public use proceeding
1452	110	2452	55 Petition to revive - unavoidable
1453	1,330	2453	665 Petition to revive - unintentional
1501	1,330	2501	665 Utility issue fee (or reissue)
1502	480	2502	240 Design issue fee
1503	640	2503	320 Plant issue fee
1460	130	1460	130 Petitions to the Commissioner
1807	50	1807	50 Petitions related to provisional applications
1806	180	1806	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties) 40.00
1809	770	2809	385 Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810	385 For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801	385 Request for Continued Examination (RCE)
1802	900	1802	900 Request for expedited examination of a design application
Other fee (Specify) _____			
* Reduced by Basic Filing Fee Paid		<b>SUBTOTAL (3)</b> (\$ 40.00)	

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Jeanette S. Harms	Registration No. (Attorney/Agent)	35,537	Telephone	(408) 451-5907
Signature				Date	January 15, 2004

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. § 122(b)(2)(B)(i)</b>	First Named Inventor	Craig H. Barratt
	Title	<b>"APPARATUS AND METHOD FOR TRANSMISSION COLLISION AVOIDANCE"</b>
	Attorney Docket Number	ATH-0116

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. § 122(b).

January 15, 2004

Date



Jeanette S. Harms, Reg. No. 35,537

Telephone number: (408) 451-5907

This request must be signed in compliance with 37 C.F.R. § 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. § 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. § 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.